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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 JOHN DEL GALLEGOS,

14 Plaintiff,

15 v.

16 WELLS FARGO & COMPANY LONG TERM
17 DISABILITY PLAN, and METROPOLITAN
18 LIFE INSURANCE COMPANY,

19 Defendant.

Case No. C13-4518 VC

FOURTH STIPULATION TO MODIFY
BRIEFING SCHEDULE FOR CROSS-
MOTIONS FOR JUDGMENT AND
~~PROPOSED~~ ORDER AS MODIFIED

20 **IT IS HEREBY STIPULATED AND AGREED** by and between Plaintiff John Del
21 Gallegos and defendants Wells Fargo & Company LTD Disability Plan and Metropolitan Life
22 Insurance Company (“defendants”), by and through their respective counsel of record, as
23 follows:

24 1. On May 15, 2014, this Court issued its Joint Case Management Statement &
25 Order (ECF No. 17) specifying that cross-motions for judgment under Rule 52 were to be filed
26 on September 15, 2014, with oppositions and replies to be filed according to the timetable set by
27 the Local Rules of Court. A half day-bench trial/hearing was to be set at the Court’s
28 convenience.

2. The parties have twice stipulated to the issuance of orders postponing the date for
filing the cross-motions (ECF Nos. 18 and 20), and the court has twice issued orders which
postponed the filing date until September 22, 2014 (ECF No. 19) and, most recently, until

October 6, 2014 (ECF No. 21). On October 6, 2014, the parties submitted a third stipulation to modify the briefing schedule (ECF No. 22). However, on October 10, 2014 the courtroom deputy notified the parties that the stipulation was not in the form specified Judge Chhabria's Standing Orders regarding cross motions for summary judgment, and asked the parties to file an amended stipulation. This is that amended stipulation.

3. Under the Court's Order dated September 24, 2014 (ECF No. 21) the current briefing and hearing schedule is as follows:

Cross-motions due:	October 6, 2014
Oppositions to cross-motions due:	October 20, 2014
Replies to oppositions due:	November 3, 2014
Half-day bench trial/hearing	November 20, 2014

4. At this time, the parties desire a further extension of the briefing and hearing schedule. The reason for this request is that plaintiff has asked defendants to produce additional documents prior to the filing of the cross-motions. Defendants provided plaintiff with requested documents from 2005, but plaintiff has requested additional documents from 2005 as well as documents from 2012. While defendants do not agree that the 2012 documents are relevant, defendants have agreed to produce them. Having additional time to file the cross motions will allow for the production of additional documents and the orderly preparation of the motions. The parties hereby stipulate to, and request that the court order, the following further revised briefing and hearing schedule:

Plaintiff's opening brief due:	October 20, 2014
MetLife's opening/opposition brief due:	October 27, 2014
Plaintiff's opposition/reply brief due:	November 3, 2014
MetLife's reply brief due:	November 10, 2014
Half-day bench trial/hearing:	November 20, 2014, or at the Court's convenience, but not between November 24, 2014 and December 5, 2014.

December 10, 2014 at 10a.m.

IT IS SO STIPULATED.

DATED: October 13, 2014 LAW OFFICES OF LAURENCE F. PADWAY

By: /s/ Laurence F. Padway (as authorized on 10/12/14)

Laurence F. Padway
Attorneys for Plaintiff
John Del Gallego

DATED: October 13, 2014 SEDGWICK LLP

By: /s/ Mark J. Hancock

Rebecca A. Hull
Mark J. Hancock
Attorneys for Defendants

ORDER

Upon the stipulation of the parties, IT IS SO ORDERED.

Date: October 24, 2014

